

IN RE: PETITION FOR ZONING VARIANCE  
S/S Dundalk Avenue, 78' W of  
the c/l of Peach Orchard Road  
18237 Dundalk Avenue  
12th Election District  
7th Councilmanic District  
James M. Holland, et ux  
Petitioners

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 88-411-A

MEMORANDUM AND ORDER

The Petitioners herein request variances to permit an accessory structure (satellite dish) to be located approximately 14 inches from the side property line in lieu of the required 2.5 feet and to permit a height for said structure of 20 feet in lieu of the maximum permitted 15 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by James M. Holland, appeared and testified. Mr. & Mrs. Overbeck appeared as Protestants.

Based upon the testimony and evidence presented at the hearing, in the opinion of the Zoning Commissioner, the relief requested does not sufficiently comply with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, should be denied. The evidence in the record indicates that the subject variances would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would not result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variances should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 2nd day of May, 1988 that the Petition for Variance to permit an accessory structure (satellite dish) to be located approximately 14 inches from the

side property line in lieu of the required 2.5 feet and to permit a height for said structure of 20 feet in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

J. Robert Haines  
Zoning Commissioner of  
Baltimore County

JRH:bjs

Mr. & Mrs. James M. Holland  
8237 Dundalk Avenue  
Baltimore, Maryland 21224

RE: Petition for Zoning Variance  
S/S Dundalk Avenue, 78' W of the c/l of Peach Orchard Road  
12th Election District - 7th Councilmanic District  
Case No. 88-411-A

Dear Mr. & Mrs. Holland:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been Denied in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH:bjs  
Enclosures

cc: Mr. & Mrs. Overbeck  
8239 Dundalk Avenue, Baltimore, Md. 21224

People's Counsel

File

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
TOWSON, MARYLAND

District 1224 Date of Posting 3/11/88  
Posted for: Variance  
Petitioner: James M. Holland et ux  
Location of property: S/S Dundalk Ave., 78' W of Peach Orchard Rd.  
18237 Dundalk Ave.  
Location of Signs: 18237 Dundalk Ave. Signs: 20' x 14' x 14'  
Remarks: as per City of Baltimore  
Posted by: J. Robert Haines  
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 24, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 24, 1988.

THE JEFFERSONIAN,

Susan Shuster Obrecht  
Publisher

CERTIFICATE OF PUBLICATION

OFFICE OF  
Dundalk Eagle

4 N. Center Place  
P.O. Box 8936  
Dundalk, Md. 21222 March 24, 1988

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hearings - Case 88-411-A - P.O. #98539 - Reg. #M1843 - 72 was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 25th day of March 1988; that is to say, the same was inserted in the issues of March 24, 1988

Kimbel Publication, Inc.  
per Publisher.

By K.C. Ocker

Beginning on the south side of Dundalk Ave., 80 ft. wide at a distance of 78 feet west of the centerline of Peach Orchard Road, being lot 19, block 6 in the subdivision of Dundalk, Book No. 13 Folio 19; Also known as 8237 Dundalk Ave. in the 12th Election District. S. 041.54 ft. ±

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland at 1:00 p.m. on April 15, 1988 at 1:00 p.m. as follows:  
Petitioner for Zoning Variance: Case Number: 88-411-A  
S/S Dundalk Avenue, 78' W of Peach Orchard Road  
18237 Dundalk Avenue  
12th Election District  
7th Councilmanic District  
Petitioners: James M. Holland, et ux  
Hearing Date: Friday, April 15, 1988 at 1:00 p.m.  
Variance to allow an accessory structure (satellite dish) to be located approximately 14 inches from the side property line at grade in lieu of the required 2.5 feet and to allow a height of 20 feet in lieu of the permitted 15 feet.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in the office by the date of the hearing set above or presented at the hearing.  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
3308 Mar. 24

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 47479  
DATE 4-21-88 ACCOUNT R-01-615-000  
AMOUNT \$ 35.00  
RECEIVED FROM Mrs. M. Holland From #266  
FOR Zoning, Res. Variance Filing Fee.  
B BSES\*\*\*\*\*350015 52146  
TOWSON 4-21-88 4:00 PM  
VALIDATION - SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 50491  
DATE 4/15/88 ACCOUNT R-01-615-000  
AMOUNT \$ 88.50  
RECEIVED FROM James M. Holland  
FOR Zoning, Res. Variance Filing Fee  
B BSES\*\*\*\*\*885088 52146  
TOWSON 4-15-88 4:00 PM  
VALIDATION - SIGNATURE OF CASHIER



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

Date: 4/6/88

Mr. & Mrs. James M. Holland  
8237 Dundalk Avenue  
Baltimore, Maryland 21222

Re: Petition for Zoning Variance  
Case number: 88-411-A  
SS Dundalk Avenue, 78' W c/l of Peach Orchard Road  
(8237 Dundalk Avenue)  
12th Election District - 7th Councilmanic District  
Petitioner(s): James M. Holland, et ux  
HEARING SCHEDULED: FRIDAY, APRIL 15, 1988 at 11:00 a.m.

Dear Mr. & Mrs. Holland:

Please be advised that \$88.50 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

JRH:gs

cc: File

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

FEB 26 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
Case number: 88-411-A  
SS Dundalk Avenue, 78' W c/l of Peach Orchard Road  
(8237 Dundalk Avenue)  
12th Election District - 7th Councilmanic District  
Petitioner(s): James M. Holland, et ux  
HEARING SCHEDULED: FRIDAY, APRIL 15, 1988 at 11:00 a.m.

Variance to allow an accessory structure (satellite dish) to be located approximately 14 inches from the side property line at grade in lieu of the required 24 feet and to allow a height of 20 feet in lieu of the permitted 15 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: James M. Holland, et ux

File

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 8, 1988

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. & Mrs. James M. Holland  
8237 Dundalk Avenue  
Baltimore, Maryland 21222

Item No. 266 - Case No. 88-411-A  
Petitioner: James M. Holland, et ux  
Petition for Zoning Variance

Dear Mr. & Mrs. Holland:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:cer

Enclosures

cc: Cassell Engineering  
1015 Tricking Brook Road  
Cockeysville, Maryland 21030

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building  
Towson, Maryland 21204  
494-3354

February 18, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 258, 260, 261, 262, 263, 265, 266 and 268.

Very truly yours,

Michael S. Flanagan  
Michael S. Flanagan  
Traffic Engineer Associate II

MSF/pml-b

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Reincke  
Chief

January 28, 1988

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Re: Property Owner: James M. Holland, et ux

Location: S/S Dundalk Avenue, 78' W. of c/l Peach Orchard Rd.

Item No.: 266

Zoning Agenda: Meeting of 2/2/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

(X) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature] Noted and  
Planning Group  
Special Inspection Division

Approved: [Signature]  
Fire Prevention Bureau

/s/

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines  
TO: Zoning Commissioner

Date: March 24, 1988

FROM: P. David Fields  
Director of Planning and Zoning  
Zoning Petition Nos. 88-408-A,  
88-409-A, 88-410-A, 88-411-A,  
SUBJECT: 88-414-A, 88-416-A, 88-417-A

There are no comprehensive planning factors requiring comment on this petition.

P. David Fields  
P. David Fields  
Director

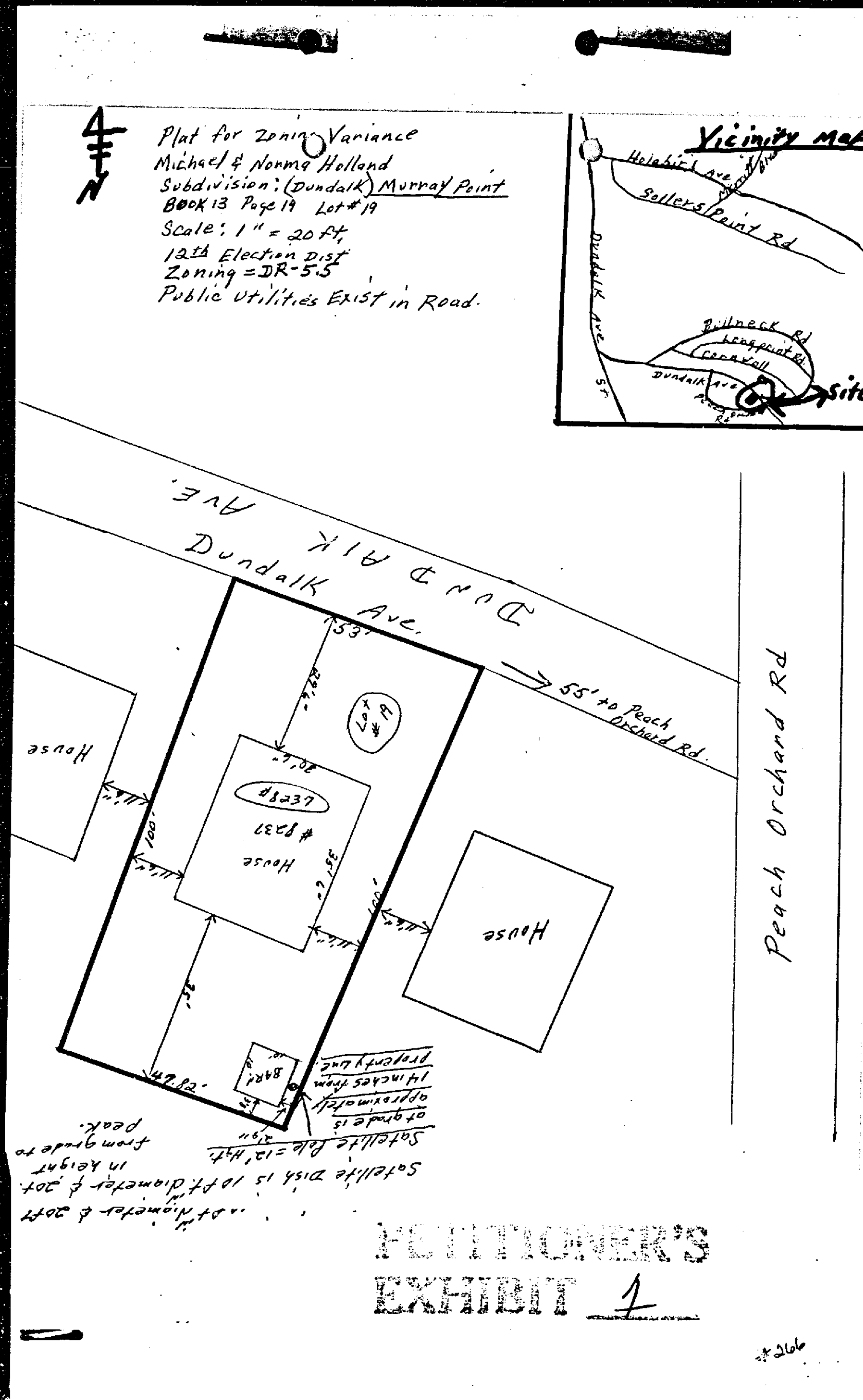
PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel  
File

RECEIVED  
APR 4 1988  
ZONING OFFICE

cc: James M. Holland, et ux  
4/6/88

CPS-008



(SITE CHECK)

Date: 2-9-87 MAP: County, Page: Balt Co. Page 44, J-8

NAME: James Holland PHONE: (H) 288-1367 (W)

ADDRESS: 8237 Dundalk Ave 21222

(LINE OF SITE)

ROOF: (G) (F) (P) Trees to top, yes / ft. Trees to trim / ft.

Satellites effected by trees: not on customers property

ROOF: flat, peak ( ) degree slope #stories: Pole length, 5ft 7ft.

Ladders: 6, 10, 16, 32, 40, hook, scaffolding #sections.

REGULAR GROUND: (G) (F) (P) Pole length: 7ft 10ft. Ladders: 6, 10.

Trench length ft. Staked: YES, NO.

TALL POLE: (G) (F) (P) Wall brace, Roof brace, Guide wires, Self standing, 15ft tall

Pole Length 15ft ft. Ladders: 6, 10, 16, 32, 40, hook, scaffolding N/A #sec.

Trench length: 12 out of ground ft. Staked: YES, NO.

Trees to top: N/A / ft. Trees to trim: / ft.

Satellites effected by trees:

MICRO WAVE CHECK (G) (F) (P) divisions high: 0, # of carriers 0

SPECIAL EQUIPMENT: yes, no. Dish N/A, Rec N/A, Filter N/A

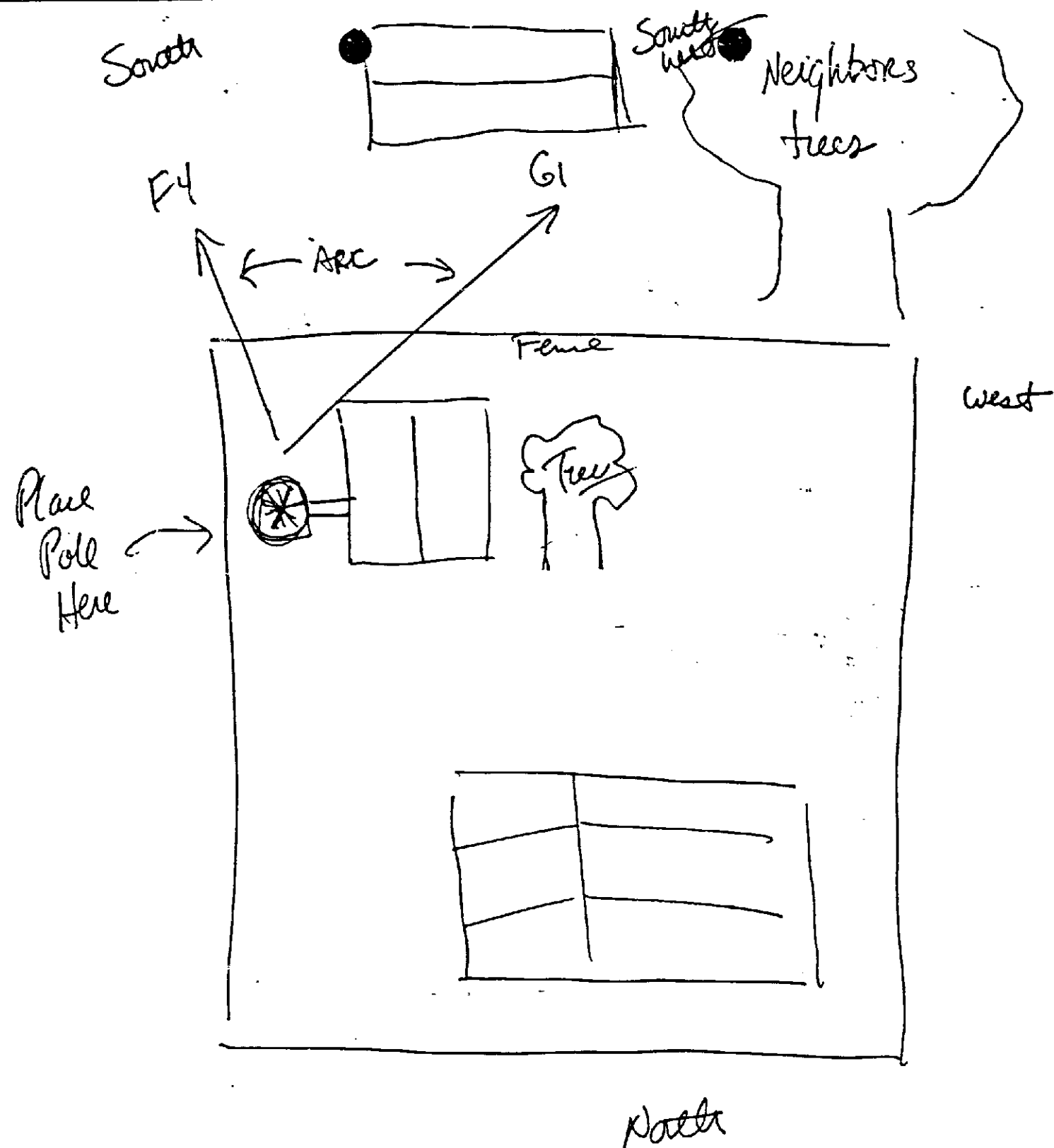
Guide wires on button hook: YES, NO. Special mount: YES, NO.

COMMENTS: Dish must be located exactly between shed and property line for satellite best tracking. If pad is not placed exactly where marked customer will lose 1/2 satellite best 9 of 18 satellites

(PROPERTY CUT LINE ON BACK)  
(SATELLITE LOCATION IN CUT LINE)

COMMENTS: See property map on reverse side

EXHIBIT 2



Dundalk Ave

PETITIONER'S  
EXHIBIT 3

PROTESTANT(S) EXHIBIT (1)

